IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6803 of 1990

For Approval and Signature:

Hon'ble CHIEF JUSTICE MR DM DHARMADHIKARI

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GUJ STATE ROAD TRANSPORT CORPN

Versus

HARSUKH D KUBAVAT

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Appearance:

MR MD PANDYA for Petitioner

MR MUKESH H RATHOD for Respondent No. 1

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CORAM : CHIEF JUSTICE MR DM DHARMADHIKARI

Date of decision: 01/09/2000

ORAL JUDGEMENT

1. In the matter of industrial dispute of the termination of service of the respondent-workman, the employer and the workmen have come to an amicable settlement, which is reduced in writing and placed before me. At the request made by the parties, the impugned award dated 21-9-1989 of Labour Court, Rajkot in Ref. (LCR) No. 600 of 1985 in its operative part is substituted by the following directions:

"The order dated 27-7-1984 dismissing the workman from service is set aside and the employer Gujarat State Road Transport Corporation is directed to reinstate the respondent workman Harsukh D. Kubavat in service by granting him continuity in service, but, without any backwages or monetary benefits. Instead of penalty of dismissal imposed on him, he be imposed a minor

punishment of stoppage of one increment with noncumulative effect. It is made clear that the arrears of salary from the date of the award till the actual reinstatement shall, however, be paid to the workman. Let that payment of arrears of salary, pending if any, be made within a reasonable period of about six weeks".

2. By this consent order, the petition is partly allowed. Rule is made absolute to the aforesaid extent.

However, there shall be no order as to costs.

(D.M. DHARMADHIKARI, C.J.)

[sndevu]